

REMARKS

Claims 1-20 stand rejected. By the present amendment, Applicant has amended Claims 1, 8, 13 and 16. Applicant has also cancelled Claims 12, 15 and 17-20 and added new Claims 21-24. No new matter has been added by the amendments herein. Reconsideration of the present application in light of the present remarks is respectfully requested.

I. Claim Rejections under 35 U.S.C. § 102

The Examiner rejected Claims 1, 2, 4, 8, 9 and 11-14 under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,894,130 to Bach ("Bach").

Applicant respectfully submits that Bach does not teach an ultraviolet assembly having a switch and a lever as disclosed and claimed by Applicant. Rather, Bach discloses an ultraviolet assembly wherein the operation of the ultraviolet lamps (26 and 28) is controlled by a wiring circuit (Fig. 8) that is broken by removing either lamp cartridge (22 or 24) from the main housing (30). (See Bach, col. 6, lines 30-40 and col. 7 lines 3-13.) Bach's circuitry is located partially in the lamp cartridge (22 and 24) and partially in the main housing (30), particularly in the cartridge sockets (50 and 52) in the main housing (30). When either cartridge socket (50 or 52) is separated from its respective cartridge plug (36 and 37) the wiring circuit is broken. Bach does not disclose any switch. Conversely, Applicant's circuitry is controlled by a switch, the operation of which, as set forth in claim 1, is controlled by a lever on Applicant's mounting bracket. Consequently, Bach discloses an ultraviolet assembly which operates very differently from Applicant's device.

Further, with respect to method Claim 16, as discussed above, Bach does not disclose or teach a method of operating an ultraviolet lamp device within an air duct as disclosed and claimed

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by Applicant. Bach does not disclose using a lever on a mounting plate to activate switch on a power unit as disclosed and claimed in Applicant's Claim 16.

Applicant respectfully submits that in view of the amendments to the claims and the arguments presented above that the Examiner's 35 U.S.C. § 102 rejections have been overcome. Accordingly, Applicant respectfully requests that the Examiner's 35 U.S.C. § 102 rejections of Claims 1, 2, 4, 8, 9 and 11-14 be withdrawn.

II. Claim Rejections under 35 U.S.C. § 103

The Examiner rejected Claims 5-7, 10 and 15-20 under 35 U.S.C. § 103(a) as being unpatentable over Bach. The Examiner further rejected Claim 3 under 35 U.S.C. § 103(a) as being unpatentable over Bach in view of U.S. Patent No. 5,334,905 to Ullrich ("Ullrich").

As discussed above, Applicant contends that Bach does not disclose an ultraviolet assembly with a switch, but rather discloses an ultraviolet assembly wherein the operation of the ultraviolet lamps (26 and 28) is controlled by a wiring circuit (Fig. 8) that is broken by removing either lamp cartridge (22 or 24) from the main housing (30). (See Bach, col. 6, lines 30-40 and col. 7 lines 3-13.) Moreover, Ullrich teaches an immersible lamp for use in a photochemical reactor having a movable, spring-loaded socket, to accommodate different lengths of discharge tubes. (See Ullrich, col. 1, lines 6-7 and 59-64.) There is no teaching or suggestion to combine any elements of Ullrich with Bach to provide circuitry controlled by a switch, the operation of which is controlled by a lever on a mounting bracket, as disclosed and claimed by Applicant in independent Claim 1.

Applicant respectfully submits that in view of the amendments to the claims and the arguments presented above with respect to the Examiner's 35 U.S.C. § 102 rejections of

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independent Claims 1 and 16, from which Claims 5-7, 10, 15 and 17-20 depend, that the Examiner's 35 U.S.C. § 103 rejections have also been overcome. Accordingly, Applicant respectfully requests that the Examiner's 35 U.S.C. § 103 rejections of Claims 5-7, 10 and 15-20 be withdrawn.

CONCLUSION

Applicant asserts that this application is in condition for allowance. Early allowance is respectfully requested.

If for any reason the Examiner is unable to allow the application on the next Office Action and feels that an interview would be helpful to resolve any remaining issues, the Examiner is respectfully requested to contact the undersigned attorney at (312) 372-2000.

Dated: March 17, 2003
McDermott, Will & Emery
227 West Monroe Street
Chicago, IL 60606-5096
(312) 372-2000

Respectfully submitted,

Patrick D. Richards
Patrick D. Richards
Reg. No. 48,905

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